

directed to a method of obtaining information concerning a bond. New Claim 40 is also directed to a method of obtaining information concerning a surety bond. Cancelled Claim 19 was directed to a system of obtaining a bond over a computer network from a surety. New Claims 41 and 42 are for a system for obtaining a surety bond using a computer network. Claim 43 is for an apparatus for obtaining a surety bond.

A detailed comparison of the prior claims and the present claims demonstrates that the same invention is being covered by the new claims and the Examiner's decision to withdraw the presently pending claims from consideration is unwarranted.

Claim 1 provides as follows:

“providing information on a contractor that is required by a surety over a computer network; providing owner/obligee information concerning a bond over said computer network;

selecting a surety to provide the bond and presenting the identity of the surety over said computer network;

selecting the type of bond required; Claim 3 defines the bond as a surety bond;

requesting approval of the bond over said computer network and;

obtaining a decision on the bond request over said computer network.”

Claim 38 provides as follows:

“Providing a surety over a computer network with the identity of an applicant requesting said bond and such other information said surety may require about said applicant;

an agent selecting a surety from one or more sureties that have approved the agent to issue surety bonds on said surety's behalf;

the bond is a surety bond;

providing said surety with the identity of an applicant requesting said bond;

receiving from said surety a decision on whether the bond is approved.”

Claim 38 has additional steps to narrow the claim. These steps include “providing an authorization code for an approved bond”. This is claimed in Claim 2 and 20. Claim 2 was dependant upon original Claim 1. This claim provides that a contractor is provided with an authorization code. Claim 38 further provides that a third party requiring the bond use the authorization code to access the bond issued by said surety. Claim 20 provided that the authorization code permitted an owner/obligee to view an approved bond over a computer network. Claim 38 further provides “issuing said surety bond through said computer network after receiving the authorization code.

Applicant requests reconsideration of the Examiner’s decision. As pointed out above, applicant has not presented claims to a “new invention” but has merely amended the claims as originally filed. With respect to the Examiner’s reference to the agent who selects the surety, there is clear support for the use of an agent in the application. This amendment to narrow the claims does not create a new invention but merely identifies the person selecting the surety. This is not a new invention because the original claims require the step of selecting the surety.

A similar analysis is presented with respect to Claim 18.

Claim 18 provides as follows:

“A method of obtaining  
information concerning a bond;  
  
accessing a computer network  
containing information on bonds  
by providing a password;

Claim 40 provides as follows:

“A method of obtaining  
information concerning a surety  
bond;  
  
a third party accessing said  
computer network by providing  
said network with an authorization  
code;

providing information on a contractor, owner/obligee or a surety over a computer network;

providing a computer network with the identity of an applicant who requested a bond and such other information about said applicant that is requested by said surety;

obtaining information concerning any bonds involving said contractor, owner/obligee or a surety over the computer network.

obtaining from said computer network information concerning said bond.”

The additional limitations added to Claim 40 are the steps of selecting a surety and said surety making a decision on whether to issue a bond based on the applicant's information provided to said computer network and said surety providing said computer network with an authorization code for an approved bond and a third party accessing the computer network by providing said network with said authorization code. Claim 2 as originally filed provides that a contractor is provided with an authorization code that permits an owner/obligee to view an approved bond through said computer network. Claim 40 is clearly not a new invention as claimed by the Examiner.

Claim 19 provides as follows:

“A system of obtaining a bond

over a computer network;

a means for providing information on a contractor that is required by a surety over said computer network;

Claim 41 provides as follows:

“A system of obtaining a surety bond;

issuing said surety bond through a computer network;

means for providing said surety with the identity of an applicant requesting said bond and such other information said surety may

means for providing owner/obligee information concerning a bond over said computer network;

means for selecting a surety to provide the bond and presenting the identity of the surety over said computer network;

means for selecting the type of bond required by the owner/obligee;

means for requesting approval of the bond over said computer network;

means for obtaining a decision on the bond request over said computer network.”

require about said applicant over a computer network;

a means for an agent to select a surety from one or more sureties that have approved said agent to issue surety bonds on said surety's behalf;

a system for selecting a surety bond;

means for receiving from said surety a decision on whether the bond is approved.”



The same analysis may be made to the remaining claims. Accordingly, Applicant requests reconsideration of the Examiner's decision. As pointed out above, applicant has not presented claims to a "new invention" but has merely amended the claims as originally filed. Amendments to narrow the claims do not create a new invention.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that the foregoing Response was mailed by first class mail, postage prepaid, in an envelope addressed to the Hon. Commissioner of Patents and Trademarks, Washington D.C. 20231, this 6th day of October, 2004.

  
Thomas A. O'Rourke